

**MONDAY, APRIL 23, 2012**

**SEVENTY-SEVENTH LEGISLATIVE DAY**

The House met at 9:00 a.m. and was called to order by Madam Speaker Harwell.

The proceedings were opened with prayer by Duane Mills, First Baptist Church, LaFollett, TN.

Representative Powers led the House in the Pledge of Allegiance to the Flag.

**ROLL CALL**

The roll call was taken with the following results:

Present..... 98

Representatives present were Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Armstrong; business

**COMMUNICATION**  
**April 23, 2012**

Rep. Dennis Powers  
202 War Memorial Building  
Nashville, TN 37243

Re: NCSL – Opportunities for Working Families in Tight Budget Times

Dear Rep. Powers:

5116

This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

As Speaker of the House of Representatives, I am requesting you to attend the NCSL forum entitled, "Opportunities for Working Families in tight Budget Times A Leadership Form for State Lawmakers", which will be held June 24, 2012 through June 26, 2012 at the JW Marriott Hotel in Denver, Colorado.

I am forwarding a copy of this letter to the Qiana Flores at NCSL Denver office. I have attached information regarding the forum.

As always, I am confident that you will represent the Tennessee House of Representatives with the high standard of professionalism, dedication and integrity that our citizens deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

cc: Qiana Flores – NCSL Denver Office  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Jeremy Harrell, G-7 State Capitol Bldg.  
Gregory Gleaves  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

**COMMUNICATION  
April 23, 2012**

Rep. Barrett Rich  
117 War Memorial Building  
Nashville, TN 37243

Re: NCSL Cross Governmental Sentencing and Corrections Policy Forum

Dear Rep. Rich:

As Speaker of the House of Representatives, I am nominating you to serve as a member of the NCSL Cross Governmental Sentencing and Corrections Policy Forum to be held June 7-8, 2012 in Denver, Colorado.

I am forwarding a copy of this letter to the William Pound, Executive Director at NCSL. Mr. Pound and/or Vicky R. McPheron will be contacting you in the near future regarding this nomination.

I am confident that you will perform the duties of this office with the high standard of professionalism, dedication and integrity that the citizens of Tennessee deserve and expect of their public servants.

Best Wishes,

/s/ Speaker Beth Harwell

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**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

cc: Qiana Flores – NCSL Denver Office  
Lt. Gov. Ron Ramsey  
Cody York, 8<sup>th</sup> Floor, Snodgrass Tower  
Jeremy Harrell, G-7 State Capitol Bldg.  
Gregory Gleaves  
Connie Ridley  
Joseph A. Barnes  
Tammy Letzler

**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 617** Rep(s). Richardson as prime sponsor(s).

**House Joint Resolution No. 807** Rep(s). Richardson and Camper as prime sponsor(s).

**House Joint Resolution No. 890** Rep(s). Dunn, Wirgau and Shipley as prime sponsor(s).

**House Joint Resolution No. 993** Rep(s). Curtiss and Elam as prime sponsor(s).

**House Bill No. 2198** Rep(s). White and Hardaway as prime sponsor(s).

**House Bill No. 2648** Rep(s). Towns and Brown as prime sponsor(s).

**House Bill No. 2695** Rep(s). Hardaway, Parkinson, Moore, Towns and Favors as prime sponsor(s).

**House Bill No. 2917** Rep(s). Camper as prime sponsor(s).

**House Bill No. 2982** Rep(s). Hardaway as prime sponsor(s).

**House Bill No. 2983** Rep(s). Shipley as prime sponsor(s).

**House Bill No. 2990** Rep(s). Hardaway and Coley as prime sponsor(s).

**House Bill No. 2994** Rep(s). Hardaway and Harmon as prime sponsor(s).

**House Bill No. 3195** Rep(s). D. Miller, Stewart, Wirgau, Brown, Hardaway and McManus as prime sponsor(s).

**House Bill No. 3269** Rep(s). Parkinson and Hardaway as prime sponsor(s).

**ENROLLED BILLS**

**April 20, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED**

**April 20, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 20, 2012**

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 620, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002; signed by the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**ENROLLED BILLS**

**April 20, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution(s) No(s). 620; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED**

**April 20, 2012**

The Speaker announced that she had signed the following: House Joint Resolution(s) No(s). 620.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**REPORT OF CHIEF ENGROSSING CLERK  
April 20, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution(s) No(s). 620, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002; for his action.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS  
April 20, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill(s) No(s). 2161, 2403, 2537, 2744, 2823, 2913, 3274 and 3398; and find same correctly enrolled and ready for the signatures of the Speakers.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 20, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 777; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 777** -- Memorials, Death - Elmer W. Counce. by \*Herron, Faulk, Finney L, Tracy.

**MESSAGE FROM THE SENATE  
April 20, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2604, 2667, 2719, 2789 and 3247; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 2604** -- Bail, Bail Bonds - As introduced, declares a defendant who is unlawfully present in the United States and has committed certain traffic violations to be deemed a risk of flight for bail purposes; authorizes clerks to set bail for such defendants at a higher amount than normally permitted. - Amends TCA Title 39; Title 40 and Title 55. by \*Beavers, \*Roberts. (\*HB2678 by \*Carr)

**Senate Bill No. 2667** -- DNA and Genetic Testing - As introduced, adds five homicide offenses to the list of violent offenses for which a DNA sample is taken and stored in the database upon arrest rather than conviction. - Amends TCA Title 40, Chapter 35, Part 3. by \*Marrero, \*Ketron, \*Burks, \*Ramsey. (\*HB2626 by \*DeBerry J)

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*Senate Bill No. 2719** -- Tort Liability and Reform - As introduced, codifies the liability of a landowner to a trespasser. - Amends TCA Title 29. by \*Kelsey, \*Berke. (HB2983 by \*Dennis, \*Shipley)

**\*Senate Bill No. 2789** -- Malpractice - As introduced, permits health care providers to use a HIPPA release in potential medical malpractice claims to receive all medical records of the patient filing the claim from other health care providers; authorizes the attorney of the health care provider to receive mental health and drug and alcohol abuse treatment records; and allows the attorney to interview the patient's health care providers to defend the claim. - Amends TCA Section 29-26-121. by \*Kelsey. (HB2979 by \*Dennis)

**\*Senate Bill No. 3247** -- Schools, Charter - As introduced, revises charter school application process time frames; permits LEAs to charge charter school applicants an application fee; changes current law to allow, not mandate, charter school teacher participation in group insurance plans offered by the LEA. - Amends TCA Title 49, Chapter 13. by \*Berke. (HB3769 by \*Brooks H)

**MESSAGE FROM THE SENATE  
April 20, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 567, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775; for the signature of the Speaker.

RUSSELL A. HUMPHREY, Chief Clerk

**SIGNED  
April 20, 2012**

The Speaker announced that she had signed the following: Senate Joint Resolution(s) No(s). 567, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774 and 775.

**MESSAGE FROM THE SENATE  
April 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 872, 878 and 886; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 872** -- Memorials, Retirement - Judy Fox Jackson. by \*Johnson.

**Senate Joint Resolution No. 878** -- Memorials, Recognition - Pat Head Summitt. by \*Herron, Massey, Campfield, McNally, Haynes, Barnes, Beavers, Bell, Berke, Burks, Crowe, Faulk, Finney L, Ford, Gresham, Harper, Henry, Johnson, Kelsey, Ketron, Kyle, Marrero, Norris, Overbey, Roberts, Southerland, Stewart, Summerville, Tate, Tracy, Watson, Yager, Ramsey.

**Senate Joint Resolution No. 886** -- Memorials, Retirement - Hugh Braddock. by \*Roberts.

MESSAGE FROM THE SENATE  
April 23, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 2179; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Bill No. 2179** -- Criminal Offenses - As introduced, creates Class A misdemeanor offenses of knowingly maiming or harming a service dog, recklessly maiming or harming a service dog and the Class C misdemeanor of interfering with a service dog in the performance of its duties and provides for restitution to the handler of the dog. - Amends TCA Title 39, Chapter 14, Part 2. by \*Henry, \*Summerville, \*Faulk, \*Ford, \*Overbey. (HB2695 by \*Odom, \*Bass, \*Lundberg, \*Ford, \*White, \*DeBerry L, \*Kernell, \*McManus, \*DeBerry J, \*Lollar, \*Hardaway, \*Parkinson, \*Moore, \*Towns, \*Favors)

MESSAGE FROM THE SENATE  
April 23, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 710; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Joint Resolution No. 710** -- Constitutional Amendments - As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state. by \*Kelsey, \*Bell, \*Beavers.

MESSAGE FROM THE SENATE  
April 23, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 668, 781, 782, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868 and 869; adopted, for the House's action.

RUSSELL A. HUMPHREY, Chief Clerk

**\*Senate Joint Resolution No. 668** -- Memorials, Congress - Urges the U.S. Department of Health and Human Services to resolve a longstanding Medicare liability owed to Tennessee and all the States for Medicaid. by \*McNally.

**Senate Joint Resolution No. 781** -- Memorials, Academic Achievement - Biana Fair, Salutatorian, Hamilton High School. by \*Kyle, \*Marrero.

**Senate Joint Resolution No. 782** -- Memorials, Academic Achievement - Darwin Dauine Denton, Valedictorian, Hamilton High School. by \*Kyle, \*Marrero.

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**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 786** -- Memorials, Personal Occasion - Kathleen and Hobert Campbell, 50th wedding anniversary. by \*Southerland.

**Senate Joint Resolution No. 787** -- Memorials, Academic Achievement - Cody Lynn Burton, Valedictorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 788** -- Memorials, Academic Achievement - Candace Nicole Wallace, Salutatorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 789** -- Memorials, Academic Achievement - Lisa Yuyang Gong, Salutatorian, Cookeville High School. by \*Burks.

**Senate Joint Resolution No. 790** -- Memorials, Academic Achievement - Kiara Wenhan Cui, Valedictorian, Cookeville High School. by \*Burks.

**Senate Joint Resolution No. 791** -- Memorials, Academic Achievement - Abigayle Marie Clafin, Valedictorian, Cumberland County High School. by \*Burks.

**Senate Joint Resolution No. 792** -- Memorials, Academic Achievement - Andrew Barlow, Salutatorian, Monterey High School. by \*Burks.

**Senate Joint Resolution No. 793** -- Memorials, Academic Achievement - Taylor Nicole Vaden, Salutatorian, Cumberland County High School. by \*Burks.

**Senate Joint Resolution No. 794** -- Memorials, Academic Achievement - Whitney Phillips, Valedictorian, Monterey High School. by \*Burks.

**Senate Joint Resolution No. 795** -- Memorials, Academic Achievement - Andrew Frasier Holland, Salutatorian, White County High School. by \*Burks.

**Senate Joint Resolution No. 796** -- Memorials, Academic Achievement - Emily Belle Henry, Valedictorian, White County High School. by \*Burks.

**Senate Joint Resolution No. 797** -- Memorials, Academic Achievement - Katherine Suzanne Lyon, Valedictorian, Stone Memorial High School. by \*Burks.

**Senate Joint Resolution No. 798** -- Memorials, Academic Achievement - Anna Lauren Smith, Salutatorian, Stone Memorial High School. by \*Burks.

**Senate Joint Resolution No. 799** -- Memorials, Death - Ms. Erma Lee Laws. by \*Ford.

**Senate Joint Resolution No. 800** -- Memorials, Recognition - Wilson Bank and Trust, 25th anniversary. by \*Beavers.

**Senate Joint Resolution No. 801** -- Memorials, Interns - John Brock. by \*Tracy.

**Senate Joint Resolution No. 802** -- Memorials, Interns - Mina Mossad. by \*Tracy.

**Senate Joint Resolution No. 803** -- Memorials, Death - Earl Eugene Scruggs. by \*Henry.



**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 804** -- Memorials, Academic Achievement - Javon Michael Ford, Valedictorian, Ridgeway High School. by \*Kyle.

**Senate Joint Resolution No. 805** -- Memorials, Academic Achievement - Esteban Andres Pilo-Pais, Salutatorian, Ridgeway High School. by \*Kyle.

**Senate Joint Resolution No. 807** -- Memorials, Interns - Thomas Kyle Turner. by \*Ketrone.

**Senate Joint Resolution No. 808** -- Memorials, Interns - Michael Anthony Ripley. by \*Ketrone.

**Senate Joint Resolution No. 809** -- Memorials, Academic Achievement - Ivan Chesterfield Biggs, Valedictorian, Cheatham County Central High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 810** -- Memorials, Academic Achievement - Kayla Elizabeth Winters, Salutatorian, Cheatham County Central High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 811** -- Memorials, Academic Achievement - Destiny Nicole LaGarce, Valedictorian, Sycamore High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 812** -- Memorials, Academic Achievement - Kristin Hope Knight, Salutatorian, Sycamore High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 813** -- Memorials, Academic Achievement - Anna Claire Robinson, Valedictorian, Harpeth High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 814** -- Memorials, Academic Achievement - Connor Andrew Reed, Valedictorian, Academy for Academic Excellence. by \*Barnes.

**Senate Joint Resolution No. 815** -- Memorials, Academic Achievement - Ross Manley Svanberg, Salutatorian, Academy for Academic Excellence. by \*Barnes.

**Senate Joint Resolution No. 816** -- Memorials, Academic Achievement - Martha Dawson Nicholson, Valedictorian, Clarksville Academy. by \*Barnes.

**Senate Joint Resolution No. 817** -- Memorials, Academic Achievement - Lauren Elizabeth Maki, Salutatorian, Clarksville Academy. by \*Barnes.

**Senate Joint Resolution No. 818** -- Memorials, Academic Achievement - Skyler Daniel Gordon, Valedictorian, Northeast High School. by \*Barnes.

**Senate Joint Resolution No. 819** -- Memorials, Academic Achievement - Joseph Eugene Dallas, Salutatorian, Northeast High School. by \*Barnes.

**Senate Joint Resolution No. 820** -- Memorials, Academic Achievement - Newton Earl Garner, Valedictorian, Northwest High School. by \*Barnes.

**Senate Joint Resolution No. 821** -- Memorials, Academic Achievement - Della Margaret Coleman, Salutatorian, Northwest High School. by \*Barnes.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 822** -- Memorials, Academic Achievement - Kaitlyn Nichole Butler, Valedictorian, Rossview High School. by \*Barnes.

**Senate Joint Resolution No. 823** -- Memorials, Academic Achievement - Caitlin Dawn Campbell, Salutatorian, Rossview High School. by \*Barnes.

**Senate Joint Resolution No. 824** -- Memorials, Academic Achievement - Adriana Isabel Larsen, Valedictorian, West Creek High School. by \*Barnes.

**Senate Joint Resolution No. 825** -- Memorials, Academic Achievement - Austin Richard Wyer, Salutatorian, West Creek High School. by \*Barnes.

**Senate Joint Resolution No. 826** -- Memorials, Academic Achievement - Geneva Mei Brennan Vezeau, Valedictorian, Clarksville High School. by \*Barnes.

**Senate Joint Resolution No. 827** -- Memorials, Academic Achievement - Mariah Paige Beane, Salutatorian, Clarksville High School. by \*Barnes.

**Senate Joint Resolution No. 828** -- Memorials, Academic Achievement - Alicia Marie Kingston, Valedictorian, Kenwood High School. by \*Barnes.

**Senate Joint Resolution No. 829** -- Memorials, Academic Achievement - Lisa Ann Mitchell, Salutatorian, Kenwood High School. by \*Barnes.

**Senate Joint Resolution No. 830** -- Memorials, Academic Achievement - Kristyn Leigh Simpson, Valedictorian, Montgomery Central High School. by \*Barnes.

**Senate Joint Resolution No. 831** -- Memorials, Academic Achievement - Lauren Nicole Bone, Salutatorian, Montgomery Central High School. by \*Barnes.

**Senate Joint Resolution No. 832** -- Memorials, Recognition - Julia Hopper Daniel. by \*Yager.

**Senate Joint Resolution No. 833** -- Memorials, Recognition - Dr. Joyce G. Crouch. by \*Yager.

**Senate Joint Resolution No. 834** -- Memorials, Recognition - Ken Croom, Chamber of Commerce Businessman of the Year. by \*Yager.

**Senate Joint Resolution No. 835** -- Memorials, Recognition - Dan Sanders, Chamber of Commerce Ambassador of the Year Award. by \*Yager.

**Senate Joint Resolution No. 836** -- Memorials, Recognition - Christine Ralph, Chamber of Commerce Volunteer of the Year. by \*Yager.

**Senate Joint Resolution No. 837** -- Memorials, Death - Julene Purser Morgan. by \*Yager.

**Senate Joint Resolution No. 838** -- Memorials, Recognition - Walt Goolsby. by \*Yager.

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**Senate Joint Resolution No. 839** -- Memorials, Recognition - Wilma Brummett. by \*Yager.

**Senate Joint Resolution No. 840** -- Memorials, Recognition - Loretta Painter. by \*Yager.

**Senate Joint Resolution No. 841** -- Memorials, Academic Achievement - Kaitlyn Elizabeth Boggs, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 842** -- Memorials, Academic Achievement - Justin Andrew Cockrell, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 843** -- Memorials, Academic Achievement - Teresa Jill Mitchell, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 844** -- Memorials, Academic Achievement - Kelli Nicole Parker, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 845** -- Memorials, Academic Achievement - Riley Elizabeth Pitts, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 846** -- Memorials, Academic Achievement - Sean John-Robert Settle, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 847** -- Memorials, Academic Achievement - Sarah Jessica Thibault, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 848** -- Memorials, Academic Achievement - Quinton Craig Roby, Salutatorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 849** -- Memorials, Retirement - Sergeant First Class Edward Tyree. by \*Barnes.

**Senate Joint Resolution No. 850** -- Memorials, Interns - Alex Brown. by \*Haynes.

**Senate Joint Resolution No. 851** -- Memorials, Retirement - Dr. Daniel Kellum. by \*Haynes.

**Senate Joint Resolution No. 852** -- Memorials, Heroism - McKinley Harding Choate. by \*Summerville.

**Senate Joint Resolution No. 853** -- Memorials, Interns - Alexa Spata. by \*Burks.

**Senate Joint Resolution No. 854** -- Memorials, Interns - James Parker. by \*Beavers.

**Senate Joint Resolution No. 855** -- Memorials, Recognition - General Robert Hatton Monument, 100-year re-dedication. by \*Beavers.

**Senate Joint Resolution No. 856** -- Memorials, Recognition - Bob Dudley Smith. by \*Henry.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 857** -- Memorials, Interns - Vann Brannon Bentley. by \*Finney L.

**Senate Joint Resolution No. 858** -- Memorials, Public Service - Senator Kerry E. Roberts. by \*Ramsey, \*Barnes, \*Beavers, \*Bell, \*Berke, \*Burks, \*Campfield, \*Crowe, \*Faulk, \*Finney L, \*Ford, \*Gresham, \*Harper, \*Haynes, \*Henry, \*Herron, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Marrero, \*Massey, \*McNally, \*Norris, \*Overbey, \*Southerland, \*Stewart, \*Summerville, \*Tracy, \*Watson, \*Yager, \*Tate.

**Senate Joint Resolution No. 859** -- Memorials, Professional Achievement - Richard "Dick" Henley, 2012 TSSAA Hall of Fame. by \*Overbey.

**Senate Joint Resolution No. 860** -- Memorials, Death - Sandra Kay Stewart Murphy. by \*Overbey.

**Senate Joint Resolution No. 861** -- Memorials, Recognition - 52nd Annual East Tennessee Rhyne Reunion. by \*Overbey.

**Senate Joint Resolution No. 862** -- Memorials, Personal Occasion - Mary Evelyn Smith Reese, 90th birthday. by \*Herron.

**Senate Joint Resolution No. 863** -- Memorials, Sports - Coach Boyce Rowe. by \*Herron.

**Senate Joint Resolution No. 864** -- Memorials, Recognition - Blake Gallimore. by \*Herron.

**Senate Joint Resolution No. 865** -- Memorials, Death - Don Lovelace. by \*Herron.

**Senate Joint Resolution No. 866** -- Memorials, Academic Achievement - Sean Stapleton, 2011 National Merit Scholarship Program Finalist. by \*Herron.

**Senate Joint Resolution No. 867** -- Memorials, Death - Elihu Meador. by \*Herron.

**Senate Joint Resolution No. 868** -- Memorials, Retirement - Jerry P. Simmons. by \*Herron.

**Senate Joint Resolution No. 869** -- Memorials, Sports - Cooper Yeshiva Basketball Team. by \*Marrero, \*Herron.

**PERSONAL ORDERS**

**RECOGNITION IN THE WELL**

Representative Gilmore was recognized in the Well in order to introduce R.C. Bartlett for remarks.

**RESOLUTION READ**

The Clerk read House Joint Resolution No. 910, previously adopted on April 12, 2012, which commended R.C. Bartlett for his honorable and astute service to the people of Tennessee.

**House Joint Resolution No. 910** -- Memorials, Recognition - R. C. Bartlett. by \*Gilmore, \*Gotto, \*Harwell, \*Jones S, \*Moore, \*Odom, \*Pruitt, \*Sontany, \*Stewart, \*Turner M.

**RECESS MOTION**

Rep. McCormick moved that the House stand in recess for 30 minutes, which motion prevailed.

**RECESS EXPIRED**

The recess having expired, the House was called to order by Madam Speaker Harwell.

**ROLL CALL DISPENSED WITH**

On motion of Rep. McCormick, the roll call was dispensed with.

**RECOGNITION IN THE WELL**

Representatives M. Turner and Fitzhugh, joined by the Davidson County delegation and Senator Haynes, were recognized in the Well in order to honor Representative Moore's service to the State of Tennessee.

**RULES SUSPENDED**

Rep. M. Turner moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 890 out of order, which motion prevailed.

**House Joint Resolution No. 890** -- Memorials, Public Service - Representative Gary W. Moore, Sr. by \*Turner M, \*Naifeh, \*Shepard, \*Camper, \*Miller L, \*Shaw, \*DeBerry J, \*Pruitt, \*Fitzhugh, \*Kernell, \*Armstrong, \*Pitts, \*Turner J, \*Tindell, \*Harmon, \*Windle, \*Odom, \*Jones S, \*Gilmore, \*Curtiss, \*Sontany, \*Cooper B, \*McDonald, \*Richardson, \*Towns, \*Stewart, \*DeBerry L, \*Brown, \*Favors, \*Hardaway, \*Tidwell, \*Parkinson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. M. Turner, with the request that all members voting aye be added as co-prime sponsors, the resolution was adopted by the following vote, with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick:

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Ayes ..... 97  
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 97

A motion to reconsider was tabled.

**INTRODUCTION OF RESOLUTIONS**

On motion, pursuant to **Rule No. 17**, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

**\*House Joint Resolution No. 686** --Highway Signs - Names U.S. 411 in Madisonville in honor of the late LCpl. Franklin "Frankie" Namon Watson, USMC. by \*Matlock.

House Transportation Committee

**\*House Joint Resolution No. 996** -- General Assembly, Statement of Intent or Position - Urges Tennesseans to buy the Nissan LEAF. by \*McDonald.

House State and Local Government Committee

**\*House Joint Resolution No. 1001** -- Highway Signs - "William "Bill" Ferguson Bridge," U.S. 70 over Clinch River in Roane County. by \*Hurley.

House Transportation Committee

**\*House Joint Resolution No. 1017** -- Highway Signs - "John Roberts Parkway," extension of S.R. 84 in Livingston. by \*Windle.

House Transportation Committee

**RESOLUTIONS**

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 24, 2012

**House Resolution No. 269** -- Memorials, Interns - Meagan Elise Davis. by \*Dunn.

**House Resolution No. 270** -- Memorials, Interns - Garrett Louis Montague. by \*Dunn.

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This is a draft version of the House Journal and is to be considered UNOFFICIAL. It will become the official record of the House after it has been adopted by the House.

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**House Resolution No. 271** -- Memorials, Sports - Grainger County Lady Grizzlies Basketball Team. by \*Roach.

**House Resolution No. 272** -- Memorials, Academic Achievement - Tejasvi Krishna Dasari, Salutatorian, White Station High School. by \*Hardaway.

**House Resolution No. 273** -- Memorials, Academic Achievement - Natasha Mehra, Salutatorian, White Station High School. by \*Hardaway.

**House Resolution No. 274** -- Memorials, Academic Achievement - Keshane Hong Gan, Valedictorian, White Station High School. by \*Hardaway.

**House Resolution No. 275** -- Memorials, Academic Achievement - Amber Carpenter, Valedictorian, Memphis Health Careers Academy. by \*Hardaway.

**House Resolution No. 276** -- Memorials, Academic Achievement - Eva Motley, Salutatorian, Memphis Health Careers Academy. by \*Hardaway.

**House Resolution No. 277** -- Memorials, Academic Achievement - Kara Skjoldager, Valedictorian, Memphis Central High School. by \*Hardaway.

**House Resolution No. 278** -- Memorials, Academic Achievement - Jordaan McGill, Co-Salutatorian, Memphis Central High School. by \*Hardaway.

**House Resolution No. 279** -- Memorials, Academic Achievement - Elizabeth Forester, Co-Salutatorian, Memphis Central High School. by \*Hardaway.

**House Resolution No. 280** -- Memorials, Academic Achievement - Tieranny Woods, Valedictorian, Overton High School. by \*Hardaway.

**House Resolution No. 281** -- Memorials, Academic Achievement - Kya Jones, Salutatorian, Overton High School. by \*Hardaway.

**House Joint Resolution No. 1018** -- Memorials, Academic Achievement - Alison Nicole Wheatley, Valedictorian, Creek Wood High School. by \*Shepard.

**House Joint Resolution No. 1019** -- Memorials, Academic Achievement - Easton Stone Dawson, Salutatorian, Creek Wood High School. by \*Shepard.

**House Joint Resolution No. 1020** -- Memorials, Professional Achievement - Jake Stansell, 67th President of the Tennessee Road Builders Association. by \*Odom.

**House Joint Resolution No. 1021** -- Memorials, Recognition - Polk County High School, Future Business Leaders of America competition. by \*Watson.

**House Joint Resolution No. 1022** -- Memorials, Academic Achievement - Kenneth Brown, Salutatorian, Mt. Juliet Christian Academy. by \*Elam.

**House Joint Resolution No. 1023** -- Memorials, Academic Achievement - Robert Hibbett, Valedictorian, Mt. Juliet Christian Academy. by \*Elam.

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**House Joint Resolution No. 1024** -- Memorials, Academic Achievement - Perry Belcher, Valedictorian, Wilson Central High School. by \*Elam.

**House Joint Resolution No. 1025** -- Memorials, Academic Achievement - Zach Pollock, Salutatorian, Mt. Juliet Christian Academy. by \*Elam.

**House Joint Resolution No. 1026** -- Memorials, Academic Achievement - Phillip Andrew Lundy, Jr., Valedictorian, Mt. Juliet Christian School. by \*Elam.

**House Joint Resolution No. 1027** -- Memorials, Academic Achievement - Ashley Johnson, Valedictorian, Kirby High School. by \*Turner J.

**House Joint Resolution No. 1028** -- Memorials, Academic Achievement - Bri'Anna Olivia Tate, Valedictorian, Westwood High School. by \*Turner J.

**House Joint Resolution No. 1029** -- Memorials, Academic Achievement - Brandi Wells, Valedictorian, Fairley High School. by \*Turner J.

**House Joint Resolution No. 1030** -- Memorials, Academic Achievement - Alexis Harper, Valedictorian, Mitchell High School. by \*Turner J.

**House Joint Resolution No. 1031** -- Memorials, Academic Achievement - Jaundra T. Clark, Salutatorian, Fairley High School. by \*Turner J.

**House Joint Resolution No. 1032** -- Memorials, Academic Achievement - Stephanie Jordan, Salutatorian, Mitchell High School. by \*Turner J.

**House Joint Resolution No. 1033** -- Memorials, Academic Achievement - Enrique Deon Smith, Salutatorian, Westwood High School. by \*Turner J.

**House Joint Resolution No. 1034** -- Memorials, Academic Achievement - Melvin Rucker, Salutatorian, Kirby High School. by \*Turner J.

**House Joint Resolution No. 1035** -- Memorials, Academic Achievement - Kristen Nicole Black, Valedictorian, East Hickman High School. by \*Shepard.

**House Joint Resolution No. 1036** -- Memorials, Academic Achievement - Chelsea Marlin, Salutatorian, East Hickman High School. by \*Shepard.

**House Joint Resolution No. 1037** -- Memorials, Academic Achievement - Lucas Ryne Hilliard, Valedictorian, White House High School. by \*McDonald.

**House Joint Resolution No. 1038** -- Memorials, Academic Achievement - Kindle Shea Williams, Valedictorian, White House High School. by \*McDonald.

**House Joint Resolution No. 1039** -- Memorials, Academic Achievement - Carly Marie Dickson, Valedictorian, White House High School. by \*McDonald.

**House Joint Resolution No. 1040** -- Memorials, Academic Achievement - Heather Richardson, Valedictorian, Clinch School. by \*Harrison.



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**House Joint Resolution No. 1041** -- Memorials, Academic Achievement - Stephen Dylan Seal, Salutatorian, Clinch School. by \*Harrison.

**House Joint Resolution No. 1042** -- Memorials, Retirement - Michael T. Harris. by \*Pitts, \*Johnson C, \*Tidwell.

**House Joint Resolution No. 1043** -- Memorials, Interns - Alison Marie Bright. by \*Johnson P, \*Brooks K.

**House Joint Resolution No. 1044** -- Memorials, Interns - Christopher A. Moore. by \*Johnson P, \*Brooks K.

**House Joint Resolution No. 1045** -- Memorials, Academic Achievement - Cody Atkinson, Nestle Waters 'Every Drop Counts' Scholarship Award Winner, Lewis County High School. by \*Hensley.

**House Joint Resolution No. 1046** -- Memorials, Academic Achievement - Jessie Erin Richards, Valedictorian, East Robertson High School. by \*Evans.

**House Joint Resolution No. 1047** -- Memorials, Academic Achievement - Audrey Elizabeth Blanton, Salutatorian, East Robertson High School. by \*Evans.

**House Joint Resolution No. 1048** -- Memorials, Recognition - Youth Leadership Robertson County, Class of 2012. by \*Evans.

**House Joint Resolution No. 1049** -- Memorials, Recognition - Leadership Robertson County, Class of 2012. by \*Evans.

**House Joint Resolution No. 1050** -- Memorials, Public Service - Harry Gill, Jr., Rutherford County Director of Schools. by \*Sparks, \*Carr, \*Marsh, \*Womick.

**House Joint Resolution No. 1051** -- Memorials, Professional Achievement - Meah King, Milken Educator Award. by \*Hardaway.

**House Joint Resolution No. 1052** -- Memorials, Recognition - Diana Ross. by \*Hardaway.

**House Joint Resolution No. 1053** -- Memorials, Recognition - Leadership Middle Tennessee, Class of 2012. by \*Evans, \*Harwell, \*Maggart, \*Johnson C, \*Pody, \*Matheny, \*Shepard, \*Turner M, \*McDonald, \*Stewart, \*Pitts, \*Carr, \*Jones S, \*Womick, \*Odom, \*Pruitt, \*Sontany, \*Sparks, \*Gilmore, \*Moore, \*Gotto, \*Casada, \*Johnson P, \*Hensley, \*Tidwell, \*Marsh, \*Butt, \*Elam, \*Sargent.

**House Joint Resolution No. 1054** -- Memorials, Recognition - S & S Whole Sale Tire of Knoxville, 25th anniversary. by \*Matlock.

**SENATE JOINT RESOLUTIONS  
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for April 24, 2012:

**Senate Joint Resolution No. 777** -- Memorials, Death - Elmer W. Counce. by \*Herron, \*Faulk, \*Finney L, \*Tracy.

**Senate Joint Resolution No. 781** -- Memorials, Academic Achievement - Biana Fair, Salutatorian, Hamilton High School. by \*Kyle, \*Marrero.

**Senate Joint Resolution No. 782** -- Memorials, Academic Achievement - Darwin Dauine Denton, Valedictorian, Hamilton High School. by \*Kyle, \*Marrero.

**Senate Joint Resolution No. 786** -- Memorials, Personal Occasion - Kathleen and Hobert Campbell, 50th wedding anniversary. by \*Southerland.

**Senate Joint Resolution No. 787** -- Memorials, Academic Achievement - Cody Lynn Burton, Valedictorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 788** -- Memorials, Academic Achievement - Candace Nicole Wallace, Salutatorian, Upperman High School. by \*Burks.

**Senate Joint Resolution No. 789** -- Memorials, Academic Achievement - Lisa Yuyang Gong, Salutatorian, Cookeville High School. by \*Burks.

**Senate Joint Resolution No. 790** -- Memorials, Academic Achievement - Kiara Wenhan Cui, Valedictorian, Cookeville High School. by \*Burks.

**Senate Joint Resolution No. 791** -- Memorials, Academic Achievement - Abigayle Marie Clafin, Valedictorian, Cumberland County High School. by \*Burks.

**Senate Joint Resolution No. 792** -- Memorials, Academic Achievement - Andrew Barlow, Salutatorian, Monterey High School. by \*Burks.

**Senate Joint Resolution No. 793** -- Memorials, Academic Achievement - Taylor Nicole Vaden, Salutatorian, Cumberland County High School. by \*Burks.

**Senate Joint Resolution No. 794** -- Memorials, Academic Achievement - Whitney Phillips, Valedictorian, Monterey High School. by \*Burks.

**Senate Joint Resolution No. 795** -- Memorials, Academic Achievement - Andrew Frasier Holland, Salutatorian, White County High School. by \*Burks.

**Senate Joint Resolution No. 796** -- Memorials, Academic Achievement - Emily Belle Henry, Valedictorian, White County High School. by \*Burks.

**Senate Joint Resolution No. 797** -- Memorials, Academic Achievement - Katherine Suzanne Lyon, Valedictorian, Stone Memorial High School. by \*Burks.

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**Senate Joint Resolution No. 798** -- Memorials, Academic Achievement - Anna Lauren Smith, Salutatorian, Stone Memorial High School. by \*Burks.

**Senate Joint Resolution No. 799** -- Memorials, Death - Ms. Erma Lee Laws. by \*Ford.

**Senate Joint Resolution No. 800** -- Memorials, Recognition - Wilson Bank and Trust, 25th anniversary. by \*Beavers.

**Senate Joint Resolution No. 801** -- Memorials, Interns - John Brock. by \*Tracy.

**Senate Joint Resolution No. 802** -- Memorials, Interns - Mina Mossad. by \*Tracy.

**Senate Joint Resolution No. 803** -- Memorials, Death - Earl Eugene Scruggs. by \*Henry.

**Senate Joint Resolution No. 804** -- Memorials, Academic Achievement - Javon Michael Ford, Valedictorian, Ridgeway High School. by \*Kyle.

**Senate Joint Resolution No. 805** -- Memorials, Academic Achievement - Esteban Andres Pilo-Pais, Salutatorian, Ridgeway High School. by \*Kyle.

**Senate Joint Resolution No. 807** -- Memorials, Interns - Thomas Kyle Turner. by \*Ketrn.

**Senate Joint Resolution No. 808** -- Memorials, Interns - Michael Anthony Ripley. by \*Ketrn.

**Senate Joint Resolution No. 809** -- Memorials, Academic Achievement - Ivan Chesterfield Biggs, Valedictorian, Cheatham County Central High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 810** -- Memorials, Academic Achievement - Kayla Elizabeth Winters, Salutatorian, Cheatham County Central High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 811** -- Memorials, Academic Achievement - Destiny Nicole LaGarce, Valedictorian, Sycamore High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 812** -- Memorials, Academic Achievement - Kristin Hope Knight, Salutatorian, Sycamore High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 813** -- Memorials, Academic Achievement - Anna Claire Robinson, Valedictorian, Harpeth High School. by \*Barnes, \*Roberts.

**Senate Joint Resolution No. 814** -- Memorials, Academic Achievement - Connor Andrew Reed, Valedictorian, Academy for Academic Excellence. by \*Barnes.

**Senate Joint Resolution No. 815** -- Memorials, Academic Achievement - Ross Manley Svanberg, Salutatorian, Academy for Academic Excellence. by \*Barnes.

**Senate Joint Resolution No. 816** -- Memorials, Academic Achievement - Martha Dawson Nicholson, Valedictorian, Clarksville Academy. by \*Barnes.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 817** -- Memorials, Academic Achievement - Lauren Elizabeth Maki, Salutatorian, Clarksville Academy. by \*Barnes.

**Senate Joint Resolution No. 818** -- Memorials, Academic Achievement - Skyler Daniel Gordon, Valedictorian, Northeast High School. by \*Barnes.

**Senate Joint Resolution No. 819** -- Memorials, Academic Achievement - Joseph Eugene Dallas, Salutatorian, Northeast High School. by \*Barnes.

**Senate Joint Resolution No. 820** -- Memorials, Academic Achievement - Newton Earl Garner, Valedictorian, Northwest High School. by \*Barnes.

**Senate Joint Resolution No. 821** -- Memorials, Academic Achievement - Della Margaret Coleman, Salutatorian, Northwest High School. by \*Barnes.

**Senate Joint Resolution No. 822** -- Memorials, Academic Achievement - Kaitlyn Nichole Butler, Valedictorian, Rossvie High School. by \*Barnes.

**Senate Joint Resolution No. 823** -- Memorials, Academic Achievement - Caitlin Dawn Campbell, Salutatorian, Rossvie High School. by \*Barnes.

**Senate Joint Resolution No. 824** -- Memorials, Academic Achievement - Adriana Isabel Larsen, Valedictorian, West Creek High School. by \*Barnes.

**Senate Joint Resolution No. 825** -- Memorials, Academic Achievement - Austin Richard Wyer, Salutatorian, West Creek High School. by \*Barnes.

**Senate Joint Resolution No. 826** -- Memorials, Academic Achievement - Geneva Mei Brennan Vezeau, Valedictorian, Clarksville High School. by \*Barnes.

**Senate Joint Resolution No. 827** -- Memorials, Academic Achievement - Mariah Paige Beane, Salutatorian, Clarksville High School. by \*Barnes.

**Senate Joint Resolution No. 828** -- Memorials, Academic Achievement - Alicia Marie Kingston, Valedictorian, Kenwood High School. by \*Barnes.

**Senate Joint Resolution No. 829** -- Memorials, Academic Achievement - Lisa Ann Mitchell, Salutatorian, Kenwood High School. by \*Barnes.

**Senate Joint Resolution No. 830** -- Memorials, Academic Achievement - Kristyn Leigh Simpson, Valedictorian, Montgomery Central High School. by \*Barnes.

**Senate Joint Resolution No. 831** -- Memorials, Academic Achievement - Lauren Nicole Bone, Salutatorian, Montgomery Central High School. by \*Barnes.

**Senate Joint Resolution No. 832** -- Memorials, Recognition - Julia Hopper Daniel. by \*Yager.

**Senate Joint Resolution No. 833** -- Memorials, Recognition - Dr. Joyce G. Crouch. by \*Yager.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 834** -- Memorials, Recognition - Ken Croom, Chamber of Commerce Businessman of the Year. by \*Yager.

**Senate Joint Resolution No. 835** -- Memorials, Recognition - Dan Sanders, Chamber of Commerce Ambassador of the Year Award. by \*Yager.

**Senate Joint Resolution No. 836** -- Memorials, Recognition - Christine Ralph, Chamber of Commerce Volunteer of the Year. by \*Yager.

**Senate Joint Resolution No. 837** -- Memorials, Death - Julene Purser Morgan. by \*Yager.

**Senate Joint Resolution No. 838** -- Memorials, Recognition - Walt Goolsby. by \*Yager.

**Senate Joint Resolution No. 839** -- Memorials, Recognition - Wilma Brummett. by \*Yager.

**Senate Joint Resolution No. 840** -- Memorials, Recognition - Loretta Painter. by \*Yager.

**Senate Joint Resolution No. 841** -- Memorials, Academic Achievement - Kaitlyn Elizabeth Boggs, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 842** -- Memorials, Academic Achievement - Justin Andrew Cockrell, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 843** -- Memorials, Academic Achievement - Teresa Jill Mitchell, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 844** -- Memorials, Academic Achievement - Kelli Nicole Parker, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 845** -- Memorials, Academic Achievement - Riley Elizabeth Pitts, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 846** -- Memorials, Academic Achievement - Sean John-Robert Settle, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 847** -- Memorials, Academic Achievement - Sarah Jessica Thibault, Valedictorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 848** -- Memorials, Academic Achievement - Quinton Craig Roby, Salutatorian, Houston County High School. by \*Barnes.

**Senate Joint Resolution No. 849** -- Memorials, Retirement - Sergeant First Class Edward Tyree. by \*Barnes.

**Senate Joint Resolution No. 850** -- Memorials, Interns - Alex Brown. by \*Haynes.

**Senate Joint Resolution No. 851** -- Memorials, Retirement - Dr. Daniel Kellum. by \*Haynes.

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**Senate Joint Resolution No. 852** -- Memorials, Heroism - McKinley Harding Choate. by \*Summerville.

**Senate Joint Resolution No. 853** -- Memorials, Interns - Alexa Spata. by \*Burks.

**Senate Joint Resolution No. 854** -- Memorials, Interns - James Parker. by \*Beavers.

**Senate Joint Resolution No. 855** -- Memorials, Recognition - General Robert Hatton Monument, 100-year re-dedication. by \*Beavers.

**Senate Joint Resolution No. 856** -- Memorials, Recognition - Bob Dudley Smith. by \*Henry.

**Senate Joint Resolution No. 857** -- Memorials, Interns - Vann Brannon Bentley. by \*Finney L.

**Senate Joint Resolution No. 858** -- Memorials, Public Service - Senator Kerry E. Roberts. by \*Ramsey, \*Barnes, \*Beavers, \*Bell, \*Berke, \*Burks, \*Campfield, \*Crowe, \*Faulk, \*Finney L, \*Ford, \*Gresham, \*Harper, \*Haynes, \*Henry, \*Herron, \*Johnson, \*Kelsey, \*Ketrn, \*Kyle, \*Marrero, \*Massey, \*McNally, \*Norris, \*Overbey, \*Southerland, \*Stewart, \*Summerville, \*Tracy, \*Watson, \*Yager, \*Tate.

**Senate Joint Resolution No. 859** -- Memorials, Professional Achievement - Richard "Dick" Henley, 2012 TSSAA Hall of Fame. by \*Overbey.

**Senate Joint Resolution No. 860** -- Memorials, Death - Sandra Kay Stewart Murphy. by \*Overbey.

**Senate Joint Resolution No. 861** -- Memorials, Recognition - 52nd Annual East Tennessee Rhyne Reunion. by \*Overbey.

**Senate Joint Resolution No. 862** -- Memorials, Personal Occasion - Mary Evelyn Smith Reese, 90th birthday. by \*Herron.

**Senate Joint Resolution No. 863** -- Memorials, Sports - Coach Boyce Rowe. by \*Herron.

**Senate Joint Resolution No. 864** -- Memorials, Recognition - Blake Gallimore. by \*Herron.

**Senate Joint Resolution No. 865** -- Memorials, Death - Don Lovelace. by \*Herron.

**Senate Joint Resolution No. 866** -- Memorials, Academic Achievement - Sean Stapleton, 2011 National Merit Scholarship Program Finalist. by \*Herron.

**Senate Joint Resolution No. 867** -- Memorials, Death - Elihu Meador. by \*Herron.

**Senate Joint Resolution No. 868** -- Memorials, Retirement - Jerry P. Simmons. by \*Herron.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**Senate Joint Resolution No. 869** -- Memorials, Sports - Cooper Yeshiva Basketball Team. by \*Marrero, \*Herron.

**Senate Joint Resolution No. 878** -- Memorials, Recognition - Pat Head Summitt. by \*Herron.

**Senate Joint Resolution No. 886** -- Memorials, Retirement - Hugh Braddock. by \*Roberts.

**SENATE BILLS TRANSMITTED**

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

**Senate Bill No. 2604** -- Bail, Bail Bonds - As introduced, declares a defendant who is unlawfully present in the United States and has committed certain traffic violations to be deemed a risk of flight for bail purposes; authorizes clerks to set bail for such defendants at a higher amount than normally permitted. - Amends TCA Title 39; Title 40 and Title 55. by \*Beavers, \*Roberts. (\*HB2678 by \*Carr)

**Senate Bill No. 2667** -- DNA and Genetic Testing - As introduced, adds five homicide offenses to the list of violent offenses for which a DNA sample is taken and stored in the database upon arrest rather than conviction. - Amends TCA Title 40, Chapter 35, Part 3. by \*Marrero, \*Ketron, \*Burks, \*Ramsey. (\*HB2626 by \*DeBerry J)

**\*Senate Bill No. 2719** -- Tort Liability and Reform - As introduced, codifies the liability of a landowner to a trespasser. - Amends TCA Title 29. by \*Kelsey, \*Berke. (HB2983 by \*Dennis, \*Shipley)

**\*Senate Bill No. 2789** -- Malpractice - As introduced, permits health care providers to use a HIPPA release in potential medical malpractice claims to receive all medical records of the patient filing the claim from other health care providers; authorizes the attorney of the health care provider to receive mental health and drug and alcohol abuse treatment records; and allows the attorney to interview the patient's health care providers to defend the claim. - Amends TCA Section 29-26-121. by \*Kelsey. (HB2979 by \*Dennis)

**\*Senate Bill No. 3247** -- Schools, Charter - As introduced, revises charter school application process time frames; permits LEAs to charge charter school applicants an application fee; changes current law to allow, not mandate, charter school teacher participation in group insurance plans offered by the LEA. - Amends TCA Title 49, Chapter 13. by \*Berke. (HB3769 by \*Brooks H)

**REPORTS FROM STANDING COMMITTEES**

The committees that met on **April 23, 2012**, reported the following:

**FINANCE, WAYS AND MEANS COMMITTEE**

The Finance, Ways and Means Committee recommended for passage: House Bill(s) No(s). 3141, 2402, 2928, 2911, 2987, 3526, 3527, 2391, 3246, 3673, 3111, 3102, 3689, 2613, 3604, 3326, 3826, 2260, 2265, House Joint Resolution(s) No(s). 863, 791, 872, Senate Joint Resolution(s) No(s). 629 and 360, also House Bill(s) No(s). 442, 2747, 1854, 2969, 3119 and House Joint Resolution(s) No(s). 597 with amendments. Under the rules, each was transmitted to the Calendar and Rules Committee

**CONSENT CALENDAR**

**House Bill No. 3875** -- Washington County - As introduced, creates a new general sessions court and county attorney position for Washington County. by \*Hill, \*Ford.

**House Bill No. 3869** -- Portland - As introduced, updates charter for the City of Portland. - Amends Chapter 288 of the Acts of 1905; as repealed. by \*McDonald.

On motion, House Bill No. 3869 was made to conform with **Senate Bill No. 3798**; the Senate Bill was substituted for the House Bill.

**\*Senate Joint Resolution No. 569** -- Naming and Designating - "Dairy Month" in Tennessee, June 2012. by \*Burks, \*Barnes, \*Beavers, \*Bell, \*Berke, \*Campfield, \*Faulk, \*Finney L, \*Ford, \*Gresham, \*Harper, \*Haynes, \*Henry, \*Herron, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Marrero, \*Massey, \*McNally, \*Norris, \*Overbey, \*Roberts, \*Southerland, \*Stewart, \*Summerville, \*Tate, \*Tracy, \*Watson, \*Yager, \*Ramsey.

**\*Senate Joint Resolution No. 578** -- Highway Signs - Names bridge on S.R. 11 in Marshall County in honor of the late Tim Mealer. by \*Ketron, \*Tracy, \*Stewart.

**\*Senate Joint Resolution No. 568** -- Naming and Designating - "Police Memorial Week" in Tennessee, May 13-19, 2012. by \*Burks, \*Barnes, \*Beavers, \*Bell, \*Berke, \*Campfield, \*Crowe, \*Faulk, \*Finney L, \*Ford, \*Gresham, \*Harper, \*Haynes, \*Henry, \*Herron, \*Johnson, \*Kelsey, \*Ketron, \*Kyle, \*Marrero, \*Massey, \*McNally, \*Norris, \*Overbey, \*Roberts, \*Southerland, \*Stewart, \*Summerville, \*Tate, \*Tracy, \*Watson, \*Yager, \*Ramsey.

**House Resolution No. 266** -- Memorials, Interns - Whitney Vaughn. by \*Eldridge.

**House Resolution No. 267** -- Memorials, Sports - James Justice, 2012 Denny's Slam Dunk Champion. by \*Bass.

**House Resolution No. 268** -- Memorials, Personal Occasion - Dr. Jim and Betty Hutchinson, 50th wedding anniversary. by \*Carr.

**House Joint Resolution No. 988** -- Memorials, Professional Achievement - Joe L. Rodgers, 66th President of Tennessee Road Builders Association. by \*Harmon.



**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Joint Resolution No. 989** -- Memorials, Interns - Hannah Lee Zeitlin. by \*Harwell.

**House Joint Resolution No. 990** -- Memorials, Interns - Samuel O'Rourke. by \*Harwell.

**House Joint Resolution No. 991** -- Memorials, Interns - Mary Katherine "Katie" Brown. by \*Harwell.

**House Joint Resolution No. 992** -- Memorials, Interns - Holly Renae Morgan. by \*Harwell.

**House Joint Resolution No. 993** -- Memorials, Retirement - Sally Swaney. by \*Ramsey.

**House Joint Resolution No. 994** -- Memorials, Recognition - Gallatin Lions Club, 75th anniversary. by \*McDonald, \*Maggart.

**House Joint Resolution No. 1003** -- Memorials, Recognition - Charles G. "Bones" Seviars. by \*Harwell, \*Sargent.

**House Joint Resolution No. 1004** -- Memorials, Academic Achievement - Adam Nicholas Edwards, Valedictorian, Jo Byrns High School. by \*Evans.

**House Joint Resolution No. 1005** -- Memorials, Academic Achievement - Gabriel Kellar Castro, Salutatorian, Jo Byrns High School. by \*Evans.

**House Joint Resolution No. 1006** -- Memorials, Academic Achievement - James Dukes, Valedictorian, White House Heritage High School. by \*Evans.

**House Joint Resolution No. 1007** -- Memorials, Academic Achievement - Bailey Mannis, Salutatorian, White House Heritage High School. by \*Evans.

**House Joint Resolution No. 1008** -- Memorials, Academic Achievement - Brandi Drexler, Valedictorian, Springfield High School. by \*Evans.

**House Joint Resolution No. 1009** -- Memorials, Academic Achievement - Jana Plant, Salutatorian, Springfield High School. by \*Evans.

**House Joint Resolution No. 1010** -- Memorials, Academic Achievement - Victoria Fagan, Valedictorian, Christian Community High School. by \*Evans.

**House Joint Resolution No. 1011** -- Memorials, Academic Achievement - Ashley Jackson, Salutatorian, Christian Community High School. by \*Evans.

**House Joint Resolution No. 1012** -- Memorials, Academic Achievement - Austin R. Jenkins, Valedictorian, Greenbrier High School. by \*Evans.

**House Joint Resolution No. 1013** -- Memorials, Academic Achievement - David P. Williams, Salutatorian, Greenbrier High School. by \*Evans.

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**House Joint Resolution No. 1014** -- Memorials, Academic Achievement - Taylor Marie Moore, Valedictorian, South Haven Christian School. by \*Evans.

**House Joint Resolution No. 1015** -- Memorials, Academic Achievement - Hannah Brooke Keith, Valedictorian, South Haven Christian School. by \*Evans.

**House Joint Resolution No. 1016** -- Memorials, Academic Achievement - Joseph Louie Florendo, Salutatorian, South Haven Christian School. by \*Evans.

Pursuant to **Rule No. 50**, Rep. Dunn moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes .....	98
Noes.....	0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

**REGULAR CALENDAR**

**House Bill No. 2695** -- Criminal Offenses - As introduced, creates Class A misdemeanor offenses of knowingly maiming or harming a service dog, recklessly maiming or harming a service dog and the Class C misdemeanor of interfering with a service dog in the performance of its duties and provides for restitution to the handler of the dog. - Amends TCA Title 39, Chapter 14, Part 2. by \*Odom, \*Bass, \*Lundberg, \*Ford, \*White, \*DeBerry L, \*Kernell, \*McManus, \*DeBerry J, \*Lollar. (\*SB2179 by \*Henry, \*Summerville, \*Faulk)

Rep. Odom requested that House Bill No. 2695 be moved to the heel of the Calendar.

**\*House Bill No. 2648** -- Guardianship - As introduced, specifies rights of respondent to petition for appointment of a conservator. - Amends TCA Title 30, Chapter 3; Title 33; Title 34 and Title 71. by \*Odom. (SB2519 by \*Beavers)

On motion, House Bill No. 2648 was made to conform with **Senate Bill No. 2519**; the Senate Bill was substituted for the House Bill.

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**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Odom moved that Senate Bill No. 2519 be passed on third and final consideration.

Rep. H. Brooks moved that Children and Family Affairs Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Odom moved that **Senate Bill No. 2519** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Joint Resolution No. 753** -- Constitutional Amendments - As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state. by \*Lundberg.

Rep. Lundberg requested that House Joint Resolution No. 753 be moved to the heel of the Calendar.

**\*House Bill No. 3120** -- State Employees - As introduced, provides that the disciplinary counsel for the court of the judiciary is a state employee for purposes of defense by the attorney general when a civil action is commenced for an act or omission performed during the course of duties for the court of judiciary. - Amends TCA Section 8-42-103. by \*Dennis. (SB3594 by \*Faulk)

On motion, House Bill No. 3120 was made to conform with **Senate Bill No. 3594**; the Senate Bill was substituted for the House Bill.

Rep. Dennis moved that **Senate Bill No. 3594** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 98  
Noes..... 0

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Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 98

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Joint Resolution No. 890** and have this statement entered in the Journal: Rep(s). Carr.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 3462** -- Clerks, Court - As introduced, removes requirements that clerk certify certain affidavits and other documents filed for the purpose of administering a small estate. - Amends TCA Title 30, Chapter 4. by \*Dennis. (SB3275 by \*Kelsey, \*Faulk, \*Ford)

**BILL HELD ON DESK**

Rep. Dennis moved that House Bill No. 3462 be held on the Clerk’s desk, which motion prevailed.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2979** -- Malpractice - As introduced, permits health care providers to use a HIPPA release in potential medical malpractice claims to receive all medical records of the patient filing the claim from other health care providers; authorizes the attorney of the health care provider to receive mental health and drug and alcohol abuse treatment records; and allows the attorney to interview the patient's health care providers to defend the claim. - Amends TCA Section 29-26-121. by \*Dennis. (\*SB2789 by \*Kelsey, \*Berke)

On motion, House Bill No. 2979 was made to conform with **Senate Bill No. 2789**; the Senate Bill was substituted for the House Bill.

Rep. Dennis moved that Senate Bill No. 2789 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Rep. Dennis moved that **Senate Bill No. 2789** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 63  
Noes..... 32  
Present and not voting..... 1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Dean, Dennis, Dunn, Eldridge, Evans, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Holt, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Montgomery, Niceley, Pody, Powers, Ragan, Ramsey, Rich, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Todd, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 63

Representatives voting no were: Brown, Camper, Cooper, Curtiss, DeBerry J, DeBerry L, Elam, Faison, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Jones, Kernell, McDonald, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Shaw, Sontany, Stewart, Tindell, Towns, Turner J, Turner M, Williams K -- 32

Representatives present and not voting were: Hurley -- 1

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **Senate Bill No. 2789** and have this statement entered in the Journal: Rep(s). Hill.

**REGULAR CALENDAR, CONTINUED**

**House Bill No. 2982** -- Judgments - As introduced, changes the standard interest rate on judgments from 10 percent to the federal reserve weekly average prime loan rate, so long as such rate does not exceed 10 percent. - Amends TCA Title 47. by \*Dennis. (\*SB2705 by \*Kelsey)

Rep. Dennis moved that House Bill No. 2982 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2982 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 47-14-121, is amended by deleting the section in its entirety and substituting the following:

47-14-121. Interest on judgments, including decrees and municipal court judgments, shall be computed by the Court, or by the parties if they are in agreement, as of the date the order of judgment is entered, except as may be otherwise provided or permitted by statute, at a rate equal to two points less than the applicable formula rate published by the commissioner of financial institutions, as required by § 47-14-105, for the calendar month preceding the month in which the order of judgment was entered. Where a judgment is based on a note, contract, or other writing fixing a rate of interest within the limits provided in § 47-14-103 for that particular category of transaction, the judgment shall bear interest at the rate so fixed.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it, and shall apply to any judgment entered on or after such date.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Dennis moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2982 By deleting from subsection (c) of the amendatory language of SECTION 1 the language “category of transaction” and substituting instead the language “categories of creditors, lenders or transactions”.

On motion, Amendment No. 2 was adopted.

Rep. Dennis moved that **House Bill No. 2982**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes.....	15

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Rich, Roach, Sargent, Sexton, Shaw, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams R, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

Representatives voting no were: Cooper, DeBerry L, Gilmore, Harmon, Haynes, Jones, McDonald, Richardson, Sanderson, Sontany, Stewart, Towns, Turner J, Turner M, Williams K -- 15

A motion to reconsider was tabled.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**House Bill No. 2983** -- Tort Liability and Reform - As introduced, codifies the liability of a landowner to a trespasser. - Amends TCA Title 29. by \*Dennis. (\*SB2719 by \*Kelsey, \*Berke)

On motion, House Bill No. 2983 was made to conform with **Senate Bill No. 2719**; the Senate Bill was substituted for the House Bill.

Rep. Dennis moved that Senate Bill No. 2719 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Dennis moved that **Senate Bill No. 2719** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	74
Noes.....	19

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 74

Representatives voting no were: Brown, Camper, Cooper, DeBerry L, Favors, Gilmore, Hardaway, Jones, Kernell, McDonald, Moore, Naifeh, Richardson, Shaw, Sontany, Stewart, Towns, Turner J, Turner M -- 19

A motion to reconsider was tabled.

**\*House Bill No. 2641** -- Criminal Offenses - As introduced, limits the offense of harassment by display of an image to cases in which the defendant intends the image to intimidate the victim, the victim is likely to see the image, a reasonable person is intimidated by the image and the victim is actually intimidated. - Amends TCA Title 39 and Title 49. by \*Curtiss. (SB2556 by \*Ketron, \*Ford, \*Burks)

Rep. Curtiss moved that House Bill No. 2641 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1, as House Amendment No. 2, as follows:

**Amendment No. 2**

AMEND House Bill No. 2641 by deleting all language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 39-17-308, is amended by deleting subdivision (a)(4) and substituting instead the following:

(4) Communicates with another person or transmits or displays an image without legitimate purpose with the intent that that the image is viewed by the victim by any method described in subdivision (a)(1) and the person:

(A) Maliciously intends the communication to be a threat of harm to the victim; and

(B) A reasonable person would perceive the communication to be a threat of harm.

SECTION 2. Tennessee Code Annotated, Section 49-6-1016, is amended by adding the following new subsection:

(c)

(1) Each LEA shall, at the beginning of each school year, provide teachers and school counselors a copy of the policy along with information on the policy's implementation, bullying prevention and strategies to address bullying and harassment when it happens. In addition, each LEA shall provide training to teachers and counselors regarding the policy and appropriate procedures relative to implementation of the policy. The department of education shall provide guidelines for such training and provide recommendations of appropriate, available and free bullying and harassment prevention resources.

(2) Each LEA shall also:

(A) At the beginning of the school year, make available to students and parents information relative to bullying prevention programs to promote awareness of the harmful effects of bullying and to permit discussion with respect to prevention policies and strategies.

(B) Beginning August 1, 2013, and annually thereafter, prepare and provide to the department of education a report concerning the number of bullying cases brought to the attention of school officials during the preceding year and the manner in which they were resolved or the reason they are still pending.

(3) The department shall annually submit a report to the education committees of the House of the Representatives and the Senate updating membership on the number of bullying cases reported statewide, the number of LEAs implementing the provisions of this law and any other information relating to the



subject of bullying and harassment as will be helpful to the committee in establishing policy in this area.

(d)

(1) The principal of a middle school, junior high school, or high school, or the principal's designee, shall investigate the following acts of harassment, intimidation, bullying or cyber-bullying:

(A) When a student reports to any principal, teacher or guidance counselor that physical harm or a threat of physical harm to such student's person or property has occurred,

(B) When a student reports to any principal, teacher or guidance counselor the occurrence of an act of harassment, intimidation, bullying or cyber-bullying not resulting in physical harm or the threat of physical harm and the same act is corroborated by another student; and

(C) When any other act occurs and the principal determines that investigation of such act is necessary to ensure the safety and well being of a student or students.

(2) Following any investigation required by this part, the principal or such principal's designee shall report the findings, along with any disciplinary action taken, to the director of schools and the chair of the local board of education.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Education Committee Amendment No. 1, as House Amendment No. 2, was adopted.

Rep. Montgomery moved adoption of Education Committee Amendment No. 2, as House Amendment No. 3, as follows:

**Amendment No. 3**

AMEND House Bill No. 2641 By deleting the following language from the bill as amended:

(1) The principal of a middle school, junior high school, or high school, or the principal's designee, shall investigate the following acts of harassment, intimidation, bullying or cyber-bullying:

(A) When a student reports to any principal, teacher or guidance counselor that physical harm or a threat of physical harm to such student's person or property has occurred,

(B) When a student reports to any principal, teacher or guidance counselor the occurrence of an act of harassment, intimidation, bullying or cyber-bullying not resulting in physical harm or the threat of physical harm and the same act is corroborated by another student; and

(C) When any other act occurs and the principal determines that investigation of such act is necessary to ensure the safety and well being of a student or students.

and by substituting instead:

(1) The principal of a middle school, junior high school, or high school, or the principal's designee, shall investigate harassment, intimidation, bullying or cyber-bullying when a student reports to any principal, teacher or guidance counselor that physical harm or a threat of physical harm to such student's person or property has occurred.

On motion, Education Committee Amendment No. 2, as House Amendment No. 3, was adopted.

Rep. Montgomery moved adoption of Education Committee Amendment No. 3, as House Amendment No. 4, as follows:

**Amendment No. 4**

AMEND House Bill No. 2641 By deleting the language "an image" in the amendatory language of Section 1 of the bill as amended and substituting instead the language "a nonreligious image".

Rep. Curtiss moved that Education Committee Amendment No. 3, as House Amendment No. 4, be tabled, which motion failed by the following vote:

Ayes .....	43
Noes.....	44
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brown, Camper, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Favors, Fitzhugh, Gilmore, Hardaway, Harmon, Harrison, Jones, Kernell, Lundberg, Marsh, McDaniel, McDonald, McManus, Miller D, Miller L, Moore, Naifeh, Odom, Parkinson, Pitts, Pruitt, Richardson, Sanderson, Shaw, Shepard, Sontany, Stewart, Tidwell, Tindell, Towns, Turner J, Turner M, Williams K, Windle -- 43

Representatives voting no were: Brooks H, Brooks K, Butt, Campbell, Casada, Cobb, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Gotto, Halford, Hall, Hawk, Haynes, Hensley, Holt, Hurley, Johnson C, Johnson P, Keisling, Maggart, Matheny, Matlock, Niceley,

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Pody, Powers, Ragan, Ramsey, Roach, Sargent, Sexton, Shipley, Swann, Todd, Watson, Weaver, White, Wirgau, Madam Speaker Harwell -- 44

Representatives present and not voting were: Montgomery -- 1

Rep. Curtiss moved that House Bill No. 2641 be reset for the Regular Calendar on April 24, 2012, which motion prevailed.

**House Bill No. 2917** -- Correction, Dept. of - As introduced, requires department to cap non-contract payments to correctional healthcare providers at 110 percent of the federal Medicare reimbursement rate; requires hospitals and other medical service providers to bill Medicaid for all eligible inmate inpatient hospital and professional services. - Amends TCA Title 41. by \*Curtiss. (\*SB2712 by \*Ketron, \*Kelsey)

On motion, House Bill No. 2917 was made to conform with **Senate Bill No. 2712**; the Senate Bill was substituted for the House Bill.

Rep. Curtiss moved that Senate Bill No. 2712 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Curtiss moved that **Senate Bill No. 2712** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	95
Noes .....	0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

**\*House Bill No. 3195** -- State Employees - As introduced, allows state employee upon retirement to keep such employee's photo identification card issued by the state; requires sticker or other designation to be placed on the card; specifies such card may be used as valid photo id for voting purposes. - Amends TCA Section 2-7-112 and Title 8. by \*Cobb, \*Matheny, \*Sontany, \*Jones S, \*Shepard, \*Pitts, \*Gilmore, \*Favors, \*Cooper B, \*Bass, \*Curtiss, \*Shaw, \*Dean, \*Sargent, \*Sparks, \*Turner J, \*Alexander, \*Richardson, \*Hensley, \*Miller L, \*Harrison, \*Ford, \*Faison, \*Hall, \*Sexton, \*Hawk, \*Roach, \*Dunn, \*Montgomery, \*Armstrong, \*Tindell, \*Windle, \*Maggart, \*Niceley, \*Swann, \*Shipley, \*Holt, \*Williams K, \*Halford, \*White, \*Coley, \*Sanderson, \*Lollar, \*Naifeh, \*DeBerry L, \*Fitzhugh, \*Townes, \*Camper, \*DeBerry J, \*Parkinson, \*Hurley, \*Ramsey, \*Forgety, \*Weaver, \*Matlock, \*Harmon, \*Keisling, \*McDaniel, \*Eldridge, \*Tidwell, \*Brooks H, \*Ragan, \*Lundberg, \*Powers, \*Hill, \*Campbell. (SB3195 by \*Yager, \*Ketron, \*Haynes, \*Barnes, \*Tracy, \*Stewart, \*Tate, \*Herron)

On motion, House Bill No. 3195 was made to conform with **Senate Bill No. 3195**; the Senate Bill was substituted for the House Bill.

Rep. Cobb moved that **Senate Bill No. 3195** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 90  
Noes..... 3

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Faison, Favors, Fitzhugh, Floyd, Ford, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Townes, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

Representatives voting no were: Evans, Haynes, Todd -- 3

A motion to reconsider was tabled.

**House Bill No. 3218** -- Fines and Penalties - As introduced, requires person who pleads guilty to offense of reckless driving or reckless endangerment where the originally charged offense is DUI to pay fine from within the same range as first offense DUI fine. - Amends TCA Title 39 and Title 55. by \*Gotto, \*Eldridge. (\*SB2773 by \*Beavers, \*Henry)

Rep. Gotto moved that House Bill No. 3218 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3218 by deleting all language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 55-10-205, is amended by deleting subsection (d) and substituting instead the following:

(d)

(1) A violation of this section is a Class B misdemeanor.

(2) In addition to the penalty authorized by this subdivision (d)(1), the court shall assess a fine of fifty dollars (\$50.00) to be distributed as provided in § 55-10-451.

SECTION 2. Tennessee Code Annotated, Section 39-13-103(b), is amended by adding the following new subdivision:

(4) In addition to the penalty authorized by this subsection, the court shall assess a fine of fifty dollars (\$50.00) to be distributed as provided in § 55-10-451.

SECTION 3. This act shall take effect July 1, 2012, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Gotto moved that **House Bill No. 3218**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	69
Noes .....	22

Representatives voting aye were: Alexander, Brooks H, Brooks K, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Forgety, Gilmore, Gotto, Halford, Hardaway, Harrison, Hawk, Hill, Hurley, Johnson C, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Montgomery, Niceley, Odom, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tindell, Todd, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 69

Representatives voting no were: Brown, Campbell, Cooper, Favors, Fitzhugh, Hall, Harmon, Haynes, Hensley, Holt, Johnson P, Miller D, Miller L, Moore, Naifeh, Parkinson, Sexton, Stewart, Tidwell, Towns, Turner J, Turner M -- 22

A motion to reconsider was tabled.

**REQUEST TO CHANGE VOTE**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "not voting" to "aye" on **Senate Bill No. 3195** and have this statement entered in the Journal: Rep(s). Forgety.

**MONDAY, APRIL 23, 2012 – SEVENTY-SEVENTH LEGISLATIVE DAY UNOFFICIAL VERSION**

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “aye” to “no” on **House Bill No. 3218** and have this statement entered in the Journal: Rep(s). Camper and Richardson.

**REGULAR CALENDAR, CONTINUED**

**\*House Bill No. 3522** -- Comptroller, State - As introduced, requires state agency officials with knowledge of a theft, forgery, fraud or similar unlawful act or abuse of public money or services to report such information to the comptroller. - Amends TCA Title 8, Chapter 4, Part 1. by \*Gotto. (SB3331 by \*Ketron, \*Berke)

On motion, House Bill No. 3522 was made to conform with **Senate Bill No. 3331**; the Senate Bill was substituted for the House Bill.

Rep. Gotto moved that Senate Bill No. 3331 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Gotto moved that **Senate Bill No. 3331** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	83
Noes.....	8
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shepard, Shipley, Sparks, Swann, Tidwell, Tindell, Todd, Turner J, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 83

Representatives voting no were: Cooper, Moore, Naifeh, Shaw, Sontany, Stewart, Towns, Turner M -- 8

Representatives present and not voting were: Brown -- 1

A motion to reconsider was tabled.

**House Bill No. 2425** -- Purchasing - As introduced, revises provisions regarding cooperative purchasing agreements and local government purchasing in regard to the utilization of pricing discounts. - Amends TCA Title 12, Chapter 3, Part 10. by \*White. (\*SB2289 by \*Faulk)

On motion, House Bill No. 2425 was made to conform with **Senate Bill No. 2289**; the Senate Bill was substituted for the House Bill.

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Rep. White moved that Senate Bill No. 2289 be passed on third and final consideration.

Rep. Ramsey moved that State and Local Government Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. White moved that **Senate Bill No. 2289** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 95  
Noes..... 1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

Representatives voting no were: Turner M -- 1

A motion to reconsider was tabled.

**House Bill No. 3270** -- Libraries - As introduced, authorizes a city in a county not participating in a region to join the state regional system as related to state purchasing contracts with approval by the secretary of state. - Amends TCA Title 10, Chapter 5. by \*White. (\*SB2949 by \*Kelsey)

Rep. White moved that House Bill No. 3270 be passed on third and final consideration.

Rep. Ramsey moved adoption of State and Local Government Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 3270 by adding the following language as the final sentence to the amendatory language of Section 1:

The secretary of state shall assess fees, from participating cities, for any additional cost of services under the state contracts.

On motion, State and Local Government Committee Amendment No. 1 was adopted.

Rep. White moved that **House Bill No. 3270**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes ..... 96  
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**House Bill No. 3269** -- Students - As introduced, prohibits promotion of students in the third and eighth grades who do not demonstrate understanding of the curriculum and the ability to perform required grade level skills either through the student's grades or standardized test scores, except under certain circumstances. - Amends TCA Section 49-6-3115. by \*White. (\*SB2156 by \*Kelsey, \*Burks, \*Beavers)

On motion, House Bill No. 3269 was made to conform with **Senate Bill No. 2156**; the Senate Bill was substituted for the House Bill.

Rep. White moved that Senate Bill No. 2156 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 2156 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-6-3115, is amended by designating the existing language as subsection (a) and by adding the following language as new subsection (b):

(b) Notwithstanding subsection (a), charter schools may promote or retain students based upon the students' demonstrated skills on the Tennessee comprehensive assessment program (TCAP) tests or upon their grades.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.



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Rep. White moved that **Senate Bill No. 2156**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 91  
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dunn, Elam, Eldridge, Evans, Faison, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

A motion to reconsider was tabled.

**\*House Joint Resolution No. 617** -- General Assembly, Statement of Intent or Position  
- Expresses opposition to U.S. Army Corps of Engineers proposed water usage fees. by  
\*McDonald, \*Turner M, \*Maggart, \*Elam, \*Gotto.

Rep. McDonald moved adoption of **House Joint Resolution No. 617**, which motion prevailed by the following vote:

Ayes ..... 93  
Noes..... 0  
Present and not voting..... 2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Carr, Casada, Cobb, Cooper, Curtiss, Dean, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 93

Representatives present and not voting were: Camper, Coley -- 2

A motion to reconsider was tabled.

REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from “not voting” to “aye” on **House Joint Resolution No. 617** and have this statement entered in the Journal: Rep(s). J. DeBerry.

REGULAR CALENDAR, CONTINUED

**\*House Joint Resolution No. 807** -- General Assembly, Statement of Intent or Position - Opposes the location of a proposed rock quarry in Sumner County. by \*McDonald, \*Hawk, \*Maggart, \*Floyd, \*Tidwell, \*Kernell.

Rep. McDonald moved adoption of House Joint Resolution No. 807.

Rep. M. Turner moved the previous question, which motion prevailed.

Rep. McDonald moved adoption of **House Joint Resolution No. 807**, which motion prevailed by the following vote:

Ayes .....	77
Noes.....	10
Present and not voting.....	3

Representatives voting aye were: Bass, Brooks H, Brooks K, Brown, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Elam, Eldridge, Evans, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Hurley, Johnson C, Johnson P, Jones, Kernell, Lollar, Maggart, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Shaw, Shepard, Shipley, Sontany, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Madam Speaker Harwell -- 77

Representatives voting no were: Dunn, Faison, Hensley, Holt, Keisling, Lundberg, Matheny, Pody, Powers, Wirgau -- 10

Representatives present and not voting were: Alexander, Marsh, Sparks -- 3

A motion to reconsider was tabled.

**House Bill No. 3878** -- Westmoreland - As introduced, subject to local approval, specifies that persons elected as mayor and aldermen be installed into office on the first day of December rather than the first day of January, beginning with November 2012 and 2014 elections. - Amends Chapter 306 of the Private Acts of 1951. by \*McDonald. (SB3810 by \*Roberts)

On motion, House Bill No. 3878 was made to conform with **Senate Bill No. 3810**; the Senate Bill was substituted for the House Bill.

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Rep. McDonald moved that **Senate Bill No. 3810** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 96  
Noes ..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 96

A motion to reconsider was tabled.

**\*House Bill No. 2198** -- Tattoos and Piercings - As introduced, adds recordkeeping and other requirements for tattooing of minors, increases penalties for violations related to tattooing of minors. - Amends TCA Title 37; Title 39, Chapter 15, Part 4 and Title 62, Chapter 38, Part 2. by \*Parkinson. (SB3663 by \*Kyle, \*Burks)

On motion, House Bill No. 2198 was made to conform with **Senate Bill No. 3663**; the Senate Bill was substituted for the House Bill.

Rep. Parkinson moved that Senate Bill No. 3663 be passed on third and final consideration.

Rep. McManus moved that Commerce Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McManus moved that Commerce Committee Amendment No. 2 be withdrawn, which motion prevailed.

Rep. Sargent moved adoption of Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 3, as follows:

**Amendment No. 3**

AMEND Senate Bill No. 3663 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION \_\_\_\_\_. Tennessee Code Annotated, Section 62-38-210, is amended by deleting subsection (b) and substituting the following:

(b) This part does not apply to any physician, surgeon or any person under the supervision of a physician or surgeon who is licensed to practice medicine in this state.

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On motion, Finance, Ways and Means Committee Amendment No. 1, as House Amendment No. 3, was adopted.

Rep. K. Williams moved the previous question, which motion prevailed.

Rep. Parkinson moved that **Senate Bill No. 3663**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	86
Noes.....	6
Present and not voting.....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Halford, Hall, Hardaway, Harrison, Hawk, Haynes, Hensley, Hill, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller L, Montgomery, Moore, Naifeh, Niceley, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, White, Williams K, Windle, Wirgau, Madam Speaker Harwell -- 86

Representatives voting no were: Carr, Evans, Faison, Holt, Miller D, Weaver -- 6

Representatives present and not voting were: Womick -- 1

A motion to reconsider was tabled.

**\*House Bill No. 2994** -- Education - As introduced, establishes a four-year parental involvement pilot program in the achievement school district. - Amends TCA Title 49. by \*Parkinson. (SB2893 by \*Kelsey)

Rep. Parkinson moved that House Bill No. 2994 be passed on third and final consideration.

Rep. Montgomery moved adoption of Education Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND House Bill No. 2994 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 6, Part 70, is amended by adding the following language as new sections:

49-6-7004. The department of education shall establish in the school system with the most schools in the achievement school district (ASD) a four-year pilot program to increase parent involvement in schools as set forth in §§ 49-6-7005 - 49-6-7007. The pilot program shall begin

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with the 2012-2013 school year and shall be limited to schools operated by the ASD that serve grades K-3 or any combination thereof. In the second year of the pilot program, the office of research and education accountability in the office of the comptroller of the treasury shall study the program and make recommendations to the department as to changes and improvements that could be made to the program which would increase parental involvement. At the conclusion of the four-year pilot program, the office of research and education accountability shall evaluate the program as to whether it should be continued and expanded. The office of research and education accountability shall report its findings and conclusions to the department and to the education committees of the senate and the house of representatives by July 1, 2016.

49-6-7005. As used in §§ 49-6-7004 - 49-6-7007, unless the context requires otherwise, "parent":

(1) Means a parent whose parental rights have not been terminated, or a person appointed by a court to make decisions regarding the support, care, education, health, or welfare of a child; and

(2) Does not mean a guardian ad litem or the state; and

49-6-7006. Any current information packets, forms, videos or other means used for sharing information with a parent by a school in the achievement school district that is in the pilot program under § 49-6-7004 shall include the following information:

(1) Expectations of parents concerning their responses to requests for meetings and communications from the school or teachers;

(2) Expectations of parents concerning their children's academic work, including time set aside for daily homework and reading, nightly checks of homework completion and preparation for tests, early preparation of assigned school projects, signatures on required forms, and checks of the contents of their children's school backpacks;

(3) Expectations of parents concerning their children's physical readiness for school, including provision for adequate night-time sleep, necessary school supplies, meals, and immunizations and medical care; provided, that necessary school supplies may be obtained through various organizations and meals may be obtained through the school's free or reduced-priced meal program if certain qualifications are met; and

(4) Expectations of parents concerning their children's school attendance.

49-6-7007.

(a) Schools in the pilot project shall issue to parents whose children are in grades kindergarten through three (K-3) blank parent involvement report cards, when the children are given their report cards.

(b) Each parent whose child is in the pilot project shall self-evaluate the parent's involvement in the child's education and assign to himself or herself a grade of excellent, satisfactory, needs improvement or unsatisfactory on each of the following:

(1) The parent's response to requests by the school or the child's teachers for meetings or communication;

(2) The parent's efforts in ensuring that the child completed homework assignments, was prepared for tests and otherwise was academically ready to learn;

(3) The parent's efforts in ensuring the child's physical preparation for school; and

(4) The parent's efforts in ensuring the child was on time for school and was absent only when excused.

(c) The report card shall also contain space in which the parent can report in writing on other efforts by the parent to be involved in the parent's child's education and to express the means by which the parent intends to address areas that the parent has evaluated as less than satisfactory or to ask for help in improving the parent's involvement.

(d) The achievement school district and the schools in the pilot project shall create appropriate incentives to encourage parents to self-evaluate and return the parent involvement report cards to the schools.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Education Committee Amendment No. 1 was adopted.

Rep. Montgomery moved adoption of Amendment No. 2 as follows:

**Amendment No. 2**

AMEND House Bill No. 2994 By deleting the language "; and" at the end of subdivision (2) of 49-6-7005 in Section 1 and by substituting instead the punctuation ".".

On motion, Amendment No. 2 was adopted.

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Rep. Parkinson moved that **House Bill No. 2994**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 94  
Noes..... 2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

Representatives voting no were: Favors, Pody -- 2

A motion to reconsider was tabled.

**\*House Bill No. 2990** -- Criminal Procedure - As introduced, allows a judge to sentence a first-time offender of domestic assault to attend a 24-week intervention program to satisfy an alternative sentencing program provided the defendant does not have prior domestic or sexual offense convictions in this state or any other state. - Amends TCA Title 39 and Title 40. by \*Jones S. (SB2988 by \*Burks, \*Harper, \*Marrero)

On motion, House Bill No. 2990 was made to conform with **Senate Bill No. 2988**; the Senate Bill was substituted for the House Bill.

Rep. S. Jones moved that Senate Bill No. 2988 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. S. Jones moved that **Senate Bill No. 2988** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes ..... 92  
Noes..... 1  
Present and not voting..... 1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pruitt, Ramsey, Richardson, Roach, Sanderson,

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Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Pody -- 1

Representatives present and not voting were: Ragan -- 1

A motion to reconsider was tabled.

**House Bill No. 3579** -- Hospitals and Health Care Facilities - As introduced, provides that reporting of injury other than those caused by deadly weapon upon a domestic violence or sexual assault on adult who does not wish to give consent to send identifying information to law enforcement to be filled out on forms that provide location and injury information but not name and address of victim. - Amends TCA Title 36 and Title 38. by \*Jones S, \*Richardson, \*DeBerry J, \*Coley, \*Shipley, \*Odom, \*Turner M, \*Dennis, \*Gilmore. (\*SB3145 by \*Burks, \*Marrero, \*Kyle)

On motion, House Bill No. 3579 was made to conform with **Senate Bill No. 3145**; the Senate Bill was substituted for the House Bill.

Rep. S. Jones moved that Senate Bill No. 3145 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 3145 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 38-1-101, is amended by designating subsection (b) as subsection (c) and by adding the following new subsection (b):

(b)

(1) The reporting provisions in subsection (a) do not apply if the person seeking or receiving treatment:

(A) Is 18 years of age or older;

(B) Objects to the release of any identifying information to law enforcement officials; and

(C) Is a victim of a sexual assault offense or domestic abuse as defined in § 36-3-601; or

(D) Is a person described in subdivision (b)(1)(C) and is a victim of strangulation.



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(2) This exception shall not apply if the sexual assault or domestic abuse victim is being treated for injuries inflicted by a knife, pistol, gun, or other deadly weapon.

SECTION 2. Tennessee Code Annotated, Section 36-3-621, is amended by deleting the section in its entirety.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. L. DeBerry moved the previous question, which motion failed by the following vote:

Ayes ..... 49  
Noes ..... 41

Representatives voting aye were: Brown, Campbell, Cooper, Curtiss, DeBerry J, DeBerry L, Dennis, Elam, Evans, Favors, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Hall, Harmon, Harrison, Haynes, Hurley, Jones, Marsh, Matheny, McDaniel, McDonald, McManus, Moore, Naifeh, Odom, Parkinson, Pitts, Ramsey, Richardson, Roach, Shaw, Shepard, Shipley, Sontany, Stewart, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Weaver, Williams K, Windle, Madam Speaker Harwell -- 49

Representatives voting no were: Alexander, Bass, Brooks K, Butt, Camper, Carr, Casada, Cobb, Dean, Eldridge, Faison, Floyd, Halford, Hardaway, Hawk, Hensley, Hill, Holt, Johnson C, Johnson P, Keisling, Lollar, Lundberg, Maggart, Matlock, McCormick, Miller D, Miller L, Montgomery, Niceley, Pody, Powers, Ragan, Sanderson, Sargent, Sexton, Sparks, Swann, Watson, White, Womick -- 41

After further discussion, Rep. S. Jones moved that Senate Bill No. 3145, as amended, be reset for the Regular Calendar on April 26, 2012, which motion prevailed.

**\*House Bill No. 827** -- Courts - As introduced, allows any person who provides satisfactory proof that such person graduated from a court reporting program prior to January 1, 2010, to be licensed to practice as a court reporter. - Amends TCA Title 20, Chapter 9, Part 6. by \*Hurley. (SB1197 by \*Yager)

On motion, House Bill No. 827 was made to conform with **Senate Bill No. 1197**; the Senate Bill was substituted for the House Bill.

Rep. Hurley moved that Senate Bill No. 1197 be passed on third and final consideration.

Rep. Watson moved adoption of Judiciary Committee Amendment No. 1 as follows:

**Amendment No. 1**

AMEND Senate Bill No. 1197 by deleting the language after the enacting clause and by substituting instead the following:

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SECTION 1. Tennessee Code Annotated, Section 20-9-613, is amended by adding the following as a new subsection thereto:

(d) On or before October 1, 2012, any person who provides satisfactory proof that such person graduated from a court reporting program prior to January 1, 2012, shall be licensed to practice as a court reporter.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Judiciary Committee Amendment No. 1 was adopted.

Rep. Hurley moved that **Senate Bill No. 1197**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes .....	82
Noes .....	10

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Eldridge, Evans, Faison, Fitzhugh, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McManus, Miller D, Miller L, Montgomery, Naifeh, Niceley, Odom, Parkinson, Pody, Powers, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 82

Representatives voting no were: Brown, Cooper, Elam, Favors, Hardaway, Harmon, Hensley, McDonald, Moore, Towns -- 10

A motion to reconsider was tabled.

**House Bill No. 3778** -- State Government - As introduced, requires 10, instead of five, people having an interest in a rule to petition an agency requesting the adoption, amendment or repeal of such rule. - Amends TCA Title 4. by \*McCormick. (\*SB3759 by \*Norris)

On motion, House Bill No. 3778 was made to conform with **Senate Bill No. 3759**; the Senate Bill was substituted for the House Bill.

Rep. McCormick moved that Senate Bill No. 3759 be passed on third and final consideration.

Rep. Cobb moved that Government Operations Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. McCormick moved that **Senate Bill No. 3759** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes ..... 95  
Noes..... 0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 95

A motion to reconsider was tabled.

**\*Senate Bill No. 2271** -- Insurance Companies, Agents, Brokers, Policies - As introduced, creates requirements for issuance of certificates of insurance; clarifies the effect of such certificates; and authorizes oversight by the commissioner of commerce and insurance regarding regulation and assessing fines in relation thereto. - Amends TCA Title 56. by \*Tracy, \*Ketron. (HB2454 by \*Sargent, \*Eldridge)

Further consideration of Senate Bill No. 2271 previously considered on April 19, 2012, at which time the House substituted the Senate Bill for the House Bill, withdrew Amendment(s) No(s). 1 and it was reset for today's Regular Calendar.

Rep. Sargent moved that Senate Bill No. 2271 be reset for the Regular Calendar on April 24, 2012, which motion prevailed.

**House Bill No. 2695** -- Criminal Offenses - As introduced, creates Class A misdemeanor offenses of knowingly maiming or harming a service dog, recklessly maiming or harming a service dog and the Class C misdemeanor of interfering with a service dog in the performance of its duties and provides for restitution to the handler of the dog. - Amends TCA Title 39, Chapter 14, Part 2. by \*Odom, \*Bass, \*Lundberg, \*Ford, \*White, \*DeBerry L, \*Kernell, \*McManus, \*DeBerry J, \*Lollar. (\*SB2179 by \*Henry, \*Summerville, \*Faulk)

Further consideration of House Bill No. 2695 previously considered on today's Calendar.

On motion, House Bill No. 2695 was made to conform with **Senate Bill No. 2179**; the Senate Bill was substituted for the House Bill.

Rep. Odom moved that Senate Bill No. 2179 be passed on third and final consideration.

Rep. Watson moved that Judiciary Committee Amendment No. 1 be withdrawn, which motion prevailed.

Rep. Odom moved that **Senate Bill No. 2179** be passed on third and final consideration, which motion prevailed by the following vote:

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Ayes ..... 92  
Noes..... 2

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Campbell, Camper, Carr, Casada, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 92

Representatives voting no were: Butt, Hensley -- 2

A motion to reconsider was tabled.

**\*House Joint Resolution No. 753** -- Constitutional Amendments - As introduced, proposes an amendment to Article VI, Section 3 in order to constitutionally enshrine a system for selection of each appellate court judge by means of merit-based gubernatorial appointment with legislative confirmation and, thereafter, contingent upon a satisfactory job performance evaluation, retention election by the voters of the state. by \*Lundberg.

Further consideration of House Joint Resolution No. 753 previously considered on today's Calendar.

On motion, **Senate Joint Resolution No. 710** was substituted for House Joint Resolution No. 753.

Rep. Lundberg moved to concur in Senate Joint Resolution No. 710.

Rep. Lundberg requested that the Clerk read Senate Joint Resolution No. 710 for the first Constitutional reading, as prescribed by the Constitution of the State of Tennessee.

The Clerk read Senate Joint Resolution No. 710.

Rep. Lundberg moved that Senate Joint Resolution No. 710 be reset for Tuesday, April 24, 2012, for its second reading, which motion prevailed.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 182** -- Tort Liability and Reform - As introduced, enacts certain tort reforms. - Amends TCA Title 20; Title 22; Title 29 and Title 63. by \*Sargent, \*Montgomery. (SB250 by \*Overbey)

**Senate Amendment No. 1**

AMEND House Bill No. 182 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 29, Chapter 34, is amended by adding the following as a new part:

29-34-401.

For purposes of this part:

(1) "Ice-skating rink" means a facility that is designed for ice-skating and that is used by the public for recreational or competitive ice-skating;

(2) "Operator" mean a person who owns, controls, or has operational responsibility for an ice-skating facility, or the agent of that person; and

(3) "Spectator" means an individual who is present at an ice-skating rink to observe ice-skating.

29-34-402.

(a) An operator shall not be liable for damage or injuries to an ice-skater or spectator where the operator complies with the requirements of § 29-34-403.

(b) A person who participates as an ice-skater at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of that participation and shall comply with the requirements of § 29-34-404.

(c) A spectator at an ice-skating rink operated in accordance with the requirements of § 29-34-403 assumes the risk of injury or damage that may occur as a result of being a spectator and shall comply with the requirements of § 29-34-404.

29-34-403.

(a) An operator shall:

(1) Provide at least one (1) individual to act as a rink monitor for approximately every two hundred (200) skaters at any given time that ice-skating is open to the public;

(2) Conduct periodic inspections of the ice, skating equipment and all other equipment in a manner that will ensure a safe operating condition;

(3) Comply with all guidelines for ice-skating rinks endorsed or recommended by the Ice Skating Institute;

(4) Post duties and expectations of skaters and spectators as prescribed by this chapter in conspicuous places;

(5) Maintain liability insurance coverage of at least one million dollars (\$1,000,000) per single limit for personal-injury death or property damage; and

(6) Maintain accurate records and daily logs for the ice-skating facility.

(b) The rink monitor shall:

(1) Wear appropriate attire as to identify the individual as a rink monitor;

(2) Direct and supervise skaters and spectators;

(3) Watch for and remove in a timely manner any foreign objects that may have fallen off the ice surface; and

(4) Inspect and maintain, or request maintenance of, the ice surface, floors, railings, boards, and walls surrounding the surface in a manner that will ensure the good condition of those areas.

29-34-404.

(a) Skaters in an ice-skating rink shall:

(1) Comply with all posted signs and warnings that relate to the skater's behavior while participating in ice-skating at the ice skating rink;

(2) Obey all instructions or warnings given by the rink monitor, rink personnel or rink operator;

(3) Maintain reasonable control over skate speed and direction at all times;

(4) Be aware that there are other skaters and objects on the ice surface and take reasonable care to avoid collision with those skaters or objects; and

(5) Be aware that ability and skill levels of ice-skaters vary and each individual must take reasonable care to ice-skate within the individual's personal abilities.

(b) Ice-skaters shall not act in a manner that may cause injury or damage to others or their property.

(c) Spectators shall comply with each posted sign or warning that relates to the behavior of the spectator.

29-34-405.

(a) This part shall not limit the liability of one (1) ice-skater or spectator to another ice-skater or spectator.

(b) This part shall not apply where an operator engages in behavior that amounts to gross negligence, or willful or wanton conduct.

SECTION 2. This act shall take effect July 1, 2012, the public welfare requiring it.

Rep. Sargent moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 182**, which motion prevailed by the following vote:

Ayes .....	90
Noes .....	0

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Floyd, Ford, Forgety, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 90

A motion to reconsider was tabled.

### REQUEST TO CHANGE VOTE

Pursuant to **Rule No. 31**, the following member(s) desire to change their original stand from "aye" to "no" on **House Bill No. 182** and have this statement entered in the Journal: Rep(s). Moore.

MESSAGE CALENDAR, CONTINUED

HOUSE ACTION ON SENATE MESSAGE

**\*House Bill No. 1105** -- Education - As introduced, requires an LEA revising its policy prohibiting harassment, intimidation, or bullying, which was filed with the commissioner of education, to transmit the revised policy to the commissioner. - Amends TCA Title 49. by \*Montgomery, \*Maggart, \*Todd. (SB1923 by \*Gresham)

Rep. Montgomery moved that the House refuse to recede from its action in nonconcurring in Senate Amendment(s) No(s). 2 to **House Bill No. 1105**, which motion prevailed.

CONFERENCE COMMITTEE APPOINTED  
ON HOUSE BILL NO. 1105

Pursuant to **Rule No. 73**, Representative Montgomery moved that the Speaker appoint a Committee of the House to meet with a like Committee of the Senate to resolve the differences between the two bodies on House Bill No. 1105, which motion prevailed.

The Speaker appointed Representatives McCormick, Montgomery and Parkinson as the House members of the Conference Committee on House Bill No. 1105.

HOUSE ACTION ON SENATE AMENDMENTS

**\*House Bill No. 2548** -- Education - As introduced, requires schools to notify parents, by way of student handbooks or policy guidebooks, of school-associated extracurricular activities and gives parents the opportunity to prohibit their child from participating. - Amends TCA Title 49, Chapter 6. by \*Hill, \*Hardaway. (SB2488 by \*Gresham)

Amendment No. 1

AMEND House Bill No. 2548 By adding the following language as new subdivision (a)(4) in the amendatory language of Section 1 of the bill:

(4) Notification of the option set forth in subsection (b) to prohibit a student from participating in any club or organization.

Rep. Hill moved that the House concur in Senate Amendment(s) No(s). 1 to **House Bill No. 2548**, which motion prevailed by the following vote:

Ayes .....	91
Noes .....	1

Representatives voting aye were: Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Niceley, Odom,

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Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Richardson, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Todd, Towns, Turner J, Turner M, Watson, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 91

Representatives voting no were: Tindell -- 1

A motion to reconsider was tabled.

**EXCUSED**

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Rich

Representative R. Williams

**UNFINISHED BUSINESS**

**RULES SUSPENDED**

Rep. L. DeBerry moved that the rules be suspended in order to allow all members voting “aye” on **House Joint Resolutions Nos. 989, 990, 991 and 992**, previously adopted on today’s Consent Calendar, be added as co-prime sponsors, which motion prevailed with the following members not added pursuant to the signed Sponsor Exclusion form: Rep(s). Alexander, Butt, Holt, Hurley, Pody, Ragan and Womick.

**MOTION TO PLACE BILL ON CALENDAR**

Rep. Swann moved that Senate Bill No. 1688, held on the Clerk’s desk, be placed on the Regular Calendar for April 24, 2012, which motion prevailed.

Rep. Dennis moved that House Bill No. 2982 be placed on the Regular Calendar for April 24, 2012, which motion prevailed.

**RULES SUSPENDED**

Rep. Casada moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 872 out of order, which motion prevailed.

**Senate Joint Resolution No. 872** -- Memorials, Retirement - Judy Fox Jackson. by \*Johnson.

On motion of Rep. Casada, the resolution was concurred in.

A motion to reconsider was tabled.

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**SPONSORS ADDED**

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

**House Joint Resolution No. 965** Rep(s). Haynes as prime sponsor(s).

**House Joint Resolution No. 1053** Rep(s). Harwell, Maggart, C. Johnson, Pody, Matheny, Shepard, M. Turner, McDonald, Stewart, Pitts, Carr, S. Jones, Womick, Odom, Pruitt, Sontany, Sparks, Gilmore, Moore, Gotto, Casada, P. Johnson, Hensley, Tidwell, Marsh, Butt, Elam and Sargent as prime sponsor(s).

**House Bill No. 2641** Rep(s). Hardaway as prime sponsor(s).

**House Bill No. 3277** Rep(s). Sexton as prime sponsor(s).

**House Bill No. 3326** Rep(s). H. Brooks as prime sponsor(s).

**House Bill No. 3559** Rep(s). K. Williams as prime sponsor(s).

**House Bill No. 3560** Rep(s). K. Williams as prime sponsor(s).

**House Bill No. 3579** Rep(s). Camper as prime sponsor(s).

**MESSAGE FROM THE GOVERNOR  
April 23, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Joint Resolution(s) No(s). 620, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 912, 913, 985, 997, 998, 999, 1000 and 1002; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

**MESSAGE FROM THE GOVERNOR  
April 23, 2012**

MADAM SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 2237, 2281, 2295, 2296, 2329, 2378, 2456, 2505, 2544, 2612, 2794, 2806, 2861, 2961, 2978, 3039, 3214, 3255, 3338, 3443, 3505, 3539, 3548, 3570, 3581, 3717, 3792 and 3863; with his approval.

HERBERT H. SLATTERY III, Counsel to the Governor

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**SIGNED  
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The Speaker announced that she had signed the following: House Bill(s) No(s). 2161, 2403, 2537, 2744, 2823, 2913, 3274 and 3398.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE  
April 23, 2012**

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3798 and 3810; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 3798** -- Portland - As introduced, updates charter for the City of Portland. - Amends Chapter 288 of the Acts of 1905; as repealed. by \*Roberts. (HB3869 by \*McDonald)

**Senate Bill No. 3810** -- Westmoreland - As introduced, subject to local approval, specifies that persons elected as mayor and aldermen be installed into office on the first day of December rather than the first day of January, beginning with November 2012 and 2014 elections. - Amends Chapter 306 of the Private Acts of 1951. by \*Roberts. (HB3878 by \*McDonald.)

**ENGROSSED BILLS  
April 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2982;

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS  
April 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 3875; and House Joint Resolution(s) No(s). 890, 988, 989, 990, 991, 992, 993, 994, 1003, 1004, 1005, 1006, 1007, 1008, 1009, 1010, 1011, 1012, 1013, 1014, 1015 and 1016.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENROLLED BILLS**

**April 23, 2012**

MADAM SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 266, 267 and 268; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**SIGNED**

**April 23, 2012**

The Speaker announced that she had signed the following: House Resolution(s) No(s). 266, 267 and 268.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**ENGROSSED BILLS**

**April 23, 2012**

MADAM SPEAKER: The following bill(s) have been examined, engrossed and are ready for transmission to the Senate: House Bill(s) No(s). 2994, 3218, 3270; also House Joint Resolution(s) No(s). 617 and 807.

BETTY KAY FRANCIS, Chief Engrossing Clerk

**MESSAGE FROM THE SENATE**

**April 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2844; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1572; substituted for Senate Bill(s) on same subject(s), amended, and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**MESSAGE FROM THE SENATE**

**April 23, 2012**

MADAM SPEAKER: I am directed to return to the House, House Bill(s) No(s). 2854, 3517, 3727 and 3867; substituted for Senate Bill(s) on same subject(s) and passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE  
April 23, 2012

MADAM SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 636, 773, 783, 824, 843, 847, 914, 915, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 934, 935, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 948, 949, 950, 951, 952, 954, 955, 956, 957, 958, 959, 961, 962, 963, 964, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 981, 982, 983, 984, 986 and 987; concurred in by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

MESSAGE FROM THE SENATE  
April 23, 2012

MADAM SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 3458 and 3535; passed by the Senate.

RUSSELL A. HUMPHREY, Chief Clerk

**Senate Bill No. 3458** -- Taxes, Hotel Motel - As introduced, authorizes the city of Newport to impose a tax on the privilege of occupancy. - Amends TCA Title 7, Chapter 4 and Title 67, Chapter 4, Part 14. by \*Southerland. (\*HB3102 by \*Odom)

**Senate Bill No. 3535** -- Health Care - As introduced, adds certified brain injury specialist in certain cases to authorized adult care home caregivers; eliminates requirement that resident managers live on site where a certified brain injury specialist is present at all times at the location. - Amends TCA Section 68-11-209. by \*Crowe, \*Burks, \*Ford. (\*HB3058 by \*Ford, \*Roach)

ROLL CALL

The roll call was taken with the following results:

Present..... 94

Representatives present were Alexander, Bass, Brooks H, Brooks K, Brown, Butt, Campbell, Camper, Carr, Casada, Cobb, Coley, Cooper, Curtiss, Dean, DeBerry J, DeBerry L, Dennis, Dunn, Elam, Eldridge, Evans, Faison, Favors, Fitzhugh, Floyd, Ford, Forgety, Gilmore, Gotto, Halford, Hall, Hardaway, Harmon, Harrison, Hawk, Haynes, Hensley, Hill, Holt, Hurley, Johnson C, Johnson P, Jones, Keisling, Kernell, Lollar, Lundberg, Maggart, Marsh, Matheny, Matlock, McCormick, McDaniel, McDonald, McManus, Miller D, Miller L, Montgomery, Moore, Naifeh, Niceley, Odom, Parkinson, Pitts, Pody, Powers, Pruitt, Ragan, Ramsey, Roach, Sanderson, Sargent, Sexton, Shaw, Shepard, Shipley, Sontany, Sparks, Stewart, Swann, Tidwell, Tindell, Todd, Towns, Turner J, Turner M, Weaver, White, Williams K, Windle, Wirgau, Womick, Madam Speaker Harwell -- 94

**RECESS MOTION**

On motion of Rep. McCormick, the House stood in recess until 9:00 a.m., Tuesday, April 24, 2012.